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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,577	09/22/2003	Zhichen Xu	200300594-1	8618

22879 7590 10/10/2006

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT PAPER NUMBER

2161

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/666,577

Applicant(s)

XU ET AL.

Examiner

Etienne P. LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-21,23-35,40,41 and 43-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-21,23-35,40,41 and 43-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/22/2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Status:

Claims 1, 4-21, 23-35, 40, 41 and 43-45 are pending; claims 2, 3, 22, 36-39 and 42 are canceled. Claims 1, 4-21, 23-35, 40, 41 and 43-45 are rejected as detailed below.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 20 and 40 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1 recites “wherein the second object comprises one or more of a second file generated from the first file and metadata generated from the first file.” The specification does not support above limitation. Particularly, the specification is silent regarding: (1) generating a second file from a first file, and (2) generating a second file from metadata of the first file.

Claim 20 recites “determining whether the first object in the file system is accessed, identifying a predetermined condition associated with the first object in response to the first object being accessed, performing an action in response to the predetermined condition existing wherein the relation identifier identifies the predetermined condition and the action.”

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The specification does not support the following:

- (1) determining when a first object is accessed
- (2) identifying a predetermined condition when the first object is accessed
- (3) performing an action subsequent to identifying a predetermined condition when the first object is accessed
- (4) identifying a relation identifier subsequent to performing an action subsequent to identifying a predetermined condition when the first object is accessed

Above limitation(s) will not be given patentable weight.

Claim 40 includes language similar to the above and thus is rejected on the same basis.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "wherein the second object comprises one or more of a second file generated from the first file and metadata generated from the first file." The metes and bounds of the claimed invention is unclear because it is difficult to ascertain what comprises one or more of a second file. Particularly, how many "second files" is applicant claiming? Furthermore, "one or more of a second file" is indefinite because how can applicant claim more of a second file when applicant claims only "a" second file. Obviously, "a second file" means there is only a

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single file while “more of a” suggests there is more than a single second file. The scope of the invention cannot be determined. This claim limitation will not be given patentable weight.

Claim Objections

Claim 4 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim 4 depends from a **canceled** (emphasis added) claim 3.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 6-9, 11-21, 23-35, 40, 41 and 43-45 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 6,260,040 issued to Kauffman et al (hereafter (Kauffman), as best examiner is able to ascertain.

Claim 1, 9, 12, 17-19, 20, 21, 25-27, 29, 34, 40:

Kauffman discloses:

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a first object identifier identifying a first object stored in the file system wherein the first object comprises a first file stored in the file system [object indices and descriptive information, col 2, lines 52-56]

a second object identifier identifying a second object stored in the file system, the second object being related to the first object wherein the second object comprises one or more of a second file generated from the first file [col 7, lines 1-15]

and metadata generated from the first file [library catalog, col 6, line 20, metadata col 6, lines 23-30]

and a relation identifier identifying a relationship between the first object and the second object [class library 730, Fig 7, col 8, lines 1-10, animated features, col 7, line 23]

determining whether the first object in the file system is accessed, identifying a predetermined condition associated with the first object in response to the first object being accessed and performing an action in response to the predetermined condition existing wherein the relation identifier identifies the predetermined condition and the action [Figs 5a, 5B, col 6, line 40 through col 7, line 55]

Claims 4 and 41:

Kauffman discloses wherein the relation identifier is a semantic of the first file [class library 730, Fig 7, col 8, lines 1-10, animated features, col 7, line 23]

Claim 6:

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Kauffman discloses wherein the relation identifier comprises a property of the first object and the second object comprises a value of the property for the first object [class library 730, Fig 7, col 8, lines 1-10, animated features, col 7, line 23]

Claim 7:

Kauffman discloses wherein the data model represents a function operable to be performed in the semantic file system [Fig 3]

Claims 8, 13, 23, 24, 28, 30, 33, 35, and 43-45:

Kauffman discloses wherein the function is associated with one or more of generating a view of the objects stored in the semantic file system, restricting access to an object in the file system, searching in the semantic file system, performing an action based on at least one predetermined condition, and performing archival functions in the semantic file system [col 4, lines 15-40]

Claim 11:

Kauffman discloses wherein the dependency is associated with a hierarchal file space [col 6, lines 15-30]

Claim 14:

Kauffman discloses wherein the relation identifier identifies the second object as including property semantic information for the first object, the property semantic information

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including one or more of statistical information for the first object and a description of the first object [class library 730, Fig 7, col 8, lines 1-10, animated features, col 7, line 23]

Claims 15, 16, 31 and 32:

Kauffman discloses wherein the relation identifier identifies the second object as including context semantic information for the first object, the context semantic information being associated with access patterns for the first object [col 7, lines 20-55]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kauffman in view of US Pat No 5,854,749 issued to Kellams et al (hereafter Kellams), as best examiner is able to ascertain.

Claim 5:

Kauffman discloses the elements of claim 1 as noted above but does not disclose wherein the data model includes a tuple in a format and order comprising: the first object identifier, the relation identifier, the second object identifier. Kellams discloses that data tuples or records have multiple fields [col 7, lines 20-25]. It would have been obvious to one of ordinary skill in the art

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at the time the invention was made to modify Kauffman to include wherein the data model includes a tuple in a format and order comprising: the first object identifier, the relation identifier, the second object identifier based on the disclosure of Kellams for the purpose adopting a primary data structure of the well-known Oracle database [col 7, lines 20-25].

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kauffman in view of Pub No 2005/0091287 issued to Sedlar (hereafter Sedlar).

Claim 10:

Kauffman discloses the elements of claim 1 as noted above but does not disclose wherein the relation identifier identifies a dependency between the first object and the second object. Sedlar discloses wherein the relation identifier identifies a dependency between the first object and the second object [paragraph 209]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kauffman to include wherein the relation identifier identifies a dependency between the first object and the second object as taught by Sedlar for the purpose of providing a means for a user to review the history of a file and the possible revisions that were made over the lifetime of the file.

Response to Arguments

Applicant's arguments filed 7/24/2006 have been fully considered but they are moot based on above new grounds of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 am and 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

10/4/2006

E P LeRoux

Primary Examiner